1
2
3
4

UNITED STATES DISTRICT COURT

5

DISTRICT OF NEVADA

6

* * *

7   U.S. BANK, N.A.,   Case No. 2:16-CV-2081 JCM (VCF)

8   Plaintiff(s),   ORDER

9   v.

10   SFR INVESTMENTS POOL 1, LLC, et al.,

11   Defendant(s).

12

13   Presently before the court is defendant SFR Investments Pool 1, LLC's motion for security

14   of costs, pursuant to Nevada Revised Statute ("NRS") 18.130, against plaintiff U.S. Bank, N.A.,

15   successor in interest to LaSalle Bank N.A., as trustee, on behalf of the holders of the Washington

16   Mutual Mortgage Pass-Through Certificates, WMALT Series 2005-10. (ECF No. 7).

17   "When a plaintiff in an action resides out of the State, or is a foreign corporation, security

18   for the costs and charges which may be awarded against such plaintiff may be required by the

19   defendant . . . ." NRS 18.130. Further, "[i]t is the policy of the United States District Court for

20   the District of Nevada to enforce the requirements of NRS 18.130 in diversity actions." *Feagins*

21   *v. Trump Org.*, 2012 WL 925027 (D. Nev. 2012) (citing *Hamar v. Hyatt Corp.*, 98 F.R.D. 305,

22   305–6 (D. Nev. 1983); *Arrambide v. St. Mary's Hosp., Inc.*, 647 F.Supp. 1148, 1149 (D. Nev.
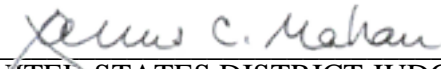
     1986)).

23   In its complaint, plaintiff states that it is "a citizen of Ohio" and that is it diverse from

24   defendant. (ECF No. 1 at 2). Therefore, this court finds that defendant properly invokes NRS

25   18.130. Pursuant to that statute, plaintiff is to deposit $500.00 with the clerk of court for "costs

     and charges as may be awarded" in this case. NRS 18.130.

26   Accordingly,

27   IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion for

28   security of costs, (ECF No. 7) be, and the same hereby is, GRANTED.

James C. Mahan
U.S. District Judge

1   IT IS FURTHER ORDERED that plaintiff shall post a cost bond in the amount of $500.00

2   or make a cash deposit of $500.00 within seven (7) days of the entry of this order.

3   DATED December 23, 2016.

4   _____

5   UNITED STATES DISTRICT JUDGE

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

James C. Mahan
U.S. District Judge   - 2 -